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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

July 1, 2019

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

I am writing to express deep concern regarding alarming reports that the United Arab Emirates (UAE) may have transferred US-origin "Javelin" anti-armor missiles to General Haftar and the Libyan National Army (LNA). If the United Arab Emirates has indeed transferred these weapons, this would appear to be a serious violation of United States law. Such a transfer would also almost certainly be a violation of the UN arms embargo on Libya.

I understand that the State Department may have begun an investigation; if not, I demand that a full investigation be done immediately. I also note that this is particularly alarming given that you recently tried to bypass Congressional authorization for these specific weapons to the UAE in May through a dubious "emergency" action to counter a supposed Iranian threat.

As you are surely aware, the United States has invested significant political, diplomatic and assistance resources to support the civilian-led, UN and internationally recognized Government of National Accord. As you are also aware, a number of our partners in the region, including the United Arab Emirates, have actively supported the LNA and General Haftar, who waged an incredibly destabilizing military offensive in April, undermining a fragile stability.

Mr. Secretary, you are surely aware that if these allegations prove true you may be obligated by law to terminate all arms sales to the UAE.

This is not the first time even this year that the UAE is alleged to have transferred US-origin arms in violation of U.S. law. In February, a CNN expose found U.S.-sold Mine-Resistant Ambush Protected (MRAP) vehicles were illicitly transferred by the UAE to its proxy forces in Yemen – at least one of which may have connections to designated entities.

The Senate just last week on a bipartisan basis passed 22 of my resolutions to reject the arms sales subject to your mistaken emergency declaration, including those to the UAE. The Senate Foreign Relations Committee also passed my "Saudi Arabia False Emergencies" (SAFE) Act to

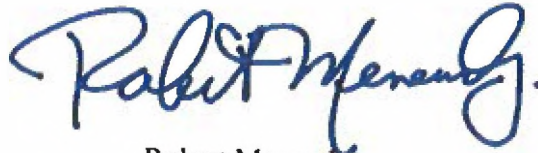
restrict your and your successors' ability to abuse the emergency authorities in the Arms Export Control Act in the future.

I respectfully ask that you address the following by July 15:

- Please provide copies of all end-user agreements with the United Arab Emirates.
- Please explain what steps have been implemented to ensure the United Arab Emirates doesn't unlawfully divert additional weapons to Libya or elsewhere.
- Please explain why you continue to believe it is in the US interest to sell weapons to the United Arab Emirates given potential diversion to terrorist groups and others and how such continued sales are consistent with the Arms Export Control Act.
- Please provide an update on your investigation into the United Arab Emirates arms transfers in Yemen.

I will also be following up to ensure that the Inspector General of the State Department immediately investigate not only the probity of your actions regarding your erroneous use of the AECA's emergency authorities, but also why U.S. arms are still flowing to the UAE; whether any investigation of the UAE's alleged illicit transfers is underway and is thorough; and what you and your Department knew about UAE's illicit transfers when considering and approving such sales.

Sincerely,

A handwritten signature in blue ink, reading "Robert Menendez". The signature is fluid and cursive, with a large, stylized "R" and "M".

Robert Menendez
Ranking Member